

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DANIEL STEVE DIXON,

Plaintiff, No. CIV S-03-0262 DFL JFM P

vs.

G. LAVIN, et al.,

Defendants. ORDER

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. On July 29, 2005, defendants filed a request for leave to file a late reply in support of their motion for summary judgment together with proposed reply. Good cause appearing, defendants' request will be granted and their reply brief will be considered.

On August 4, 2005, plaintiff filed a request for an extension of time to file and serve a response to defendants' July 29, 2005 reply to plaintiff's opposition to the motion for summary judgment. There is no provision in either the Federal Rules of Civil Procedure or the Local Rules of this Court for a response to a reply brief. Plaintiff's request for extension of time will be denied.

In accordance with the above, IT IS HEREBY ORDERED that:

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1. Defendants' July 29, 2005 request for leave to file a late reply is granted;
2. Defendants' July 29, 2005 reply brief will be considered in connection with disposition of defendants' motion for summary judgment; and
3. Plaintiff's August 4, 2005 request for an extension of time is denied.

DATED: August 23, 2005.

J. F. Wark
UNITED STATES MAGISTRATE JUDGE

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